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From M. Angela Parsons, Ph.D.  
Technology Specialist

Re Northland Seed & Grain - Grain Segregation Method  
Your Ref.: 09/641,114  
Our Ref.: 11984-005001

Number of pages  
including this page 6

Message Examiner Gellner,  
As you requested, please find attached the claims from the parent application (USSN 09/251,953). Please let me know if you need anything else.

*Thanks -  
Angela*

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at 612 335-5070 to arrange for its return. Thank you.

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### Appendix of Claims

24. A method for preparing non-genetically modified processed grain when the potential for contamination of said grain by genetically modified seeds exists, comprising:
  - a) selecting a non-genetically modified seed stock for planting;
  - b) certifying that said non-genetically modified seed stock was planted and grown under conditions effective for harvesting a crop containing 5% or less genetically modified seeds;
  - c) harvesting said crop;
  - d) processing said crop under conditions effective for producing processed grain containing 5% or less genetically modified seeds; and
  - e) certifying that said crop was processed under said processing conditions.
25. The method of claim 24, wherein said conditions in said certifying step b) are effective for producing a crop containing 1% or less genetically modified seeds.
26. The method of claim 25, wherein said conditions in said certifying step b) are effective for producing a crop containing 0.1% or less genetically modified seeds.
27. The method of claim 26, wherein said conditions in said certifying step b) are effective for producing a crop containing 0.01% or less genetically modified seeds.
28. The method of claim 24, wherein said conditions in said processing step d) are effective for producing a processed grain containing 1% or less genetically modified seeds.
29. The method of claim 28, wherein said conditions in said processing step d) are effective for producing processed grain containing 0.1% or less genetically modified seeds.
30. The method of claim 29, wherein said conditions in said processing step d) are effective for producing processed grain containing 0.01% or less genetically modified seeds.
31. The method of claim 24, wherein said certifying step b) comprises obtaining DNA test results indicating that said non-genetically modified seeds contain 1% or less genetically modified seeds.
32. The method of claim 31, wherein said certifying step b) comprises obtaining DNA test results indicating that said non-genetically modified seeds contain 0.01% or less genetically modified seeds.

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33. The method of claim 24, wherein said certifying step e) comprises obtaining DNA test results indicating that said processed grain contains 1% or less genetically modified seeds.

34. The method of claim 33, wherein said certifying step e) comprises obtaining DNA test results indicating that said processed grain contains 0.01% or less genetically modified seeds.

35. The method of claim 24, wherein said certifying step b) comprises obtaining application susceptibility test results indicating that said non-genetically modified seeds contain 1% or less genetically modified seeds.

36. The method of claim 35, wherein said certifying step b) comprises obtaining application susceptibility test results indicating that said non-genetically modified seeds contain 0.01% or less genetically modified seeds.

37. The method of claim 24, wherein said certifying step e) comprises obtaining application susceptibility test results indicating that said processed grain contains 1% or less genetically modified seeds.

38. The method of claim 37, wherein said certifying step e) comprises obtaining application susceptibility test results indicating that said processed grain contains 0.1% or less genetically modified seeds.

39. The method of claim 24, wherein said certifying step b) comprises:  
i) inspecting identified acreage for contamination by genetically modified plants prior to planting said selected non-genetically modified seed stock on said identified acreage; and

ii) inspecting said identified acreage for contamination by genetically modified plants prior to harvesting said crop.

40. The method of claim 24, wherein said processing step d) comprises processing said crop into a food product.

41. The method of claim 40, wherein said food product is soybean oil.

42. The method of claim 24, wherein said certifying step e) comprises:  
i) inspecting for contamination by genetically modified seeds, prior to said harvesting step, one or more storage bins for said crop; and

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ii) inspecting for contamination by genetically modified seeds, prior to said processing step, one or more processing plans that are to process said crop.

43. The method of claim 24, wherein said certifying step e) comprises establishing a lot identification number for said crop prior to said processing step and tracking said lot identification number during said processing step.

44. The method of claim 43, wherein said lot identification number is established when said crop is harvested.

45. A method for preventing contamination of non-genetically modified processed grain when the potential for contamination of said grain by genetically modified seeds exists, comprising:

- a) harvesting a crop containing less than 5% genetically modified seeds;
- b) certifying that said crop contains less than 5% genetically modified seeds;
- c) processing said crop under conditions effective for producing processed grain containing less than 5% genetically modified seeds; and
- d) certifying that said crop was processed under said processing conditions.

46. The method of claim 45, wherein said crop is certified at step b) to contain 1% or less genetically modified seeds.

47. The method of claim 46, wherein said crop is certified at step b) to contain 0.1% or less genetically modified seeds.

48. The method of claim 47, wherein said crop is certified at step b) to contain 0.01% or less genetically modified seeds.

49. The method of claim 45, wherein said conditions in said processing step c) are effective for producing processed grain containing 1% or less genetically modified seeds.

50. The method of claim 49, wherein said conditions in said processing step c) are effective for producing processed grain containing 0.1% or less genetically modified seeds.

51. The method of claim 50, wherein said conditions in said processing step c) are effective for producing processed grain containing 0.01% or less genetically modified seeds.

52. The method of claim 45, wherein said certifying step b) comprises obtaining DNA test results indicating that said non-genetically modified seeds contain 1% or less genetically modified seeds.

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53. The method of claim 52, wherein said certifying step b) comprises obtaining DNA test results indicating that said non-genetically modified seeds contain 0.01% or less genetically modified seeds.

54. The method of claim 45, wherein said certifying step d) comprises obtaining DNA test results indicating that said processed grain contains 1% or less genetically modified seed.

55. The method of claim 54, wherein said certifying step d) comprises obtaining DNA test results indicating that said processed grain contains 0.01% or less genetically modified seed.

56. The method of claim 45, wherein said certifying step b) comprises obtaining application susceptibility test results indicating that said non-genetically modified seeds contain 1% or less genetically modified seeds.

57. The method of claim 56, wherein said certifying step b) comprises obtaining application susceptibility test results indicating that said non-genetically modified seeds contain 0.01% or less genetically modified seeds.

58. The method of claim 45, wherein said certifying step d) comprises obtaining application susceptibility test results indicating that said processed grain contains 1% or less genetically modified seeds.

59. The method of claim 58, wherein said certifying step d) comprises obtaining application susceptibility test results indicating that said processed grain contains 0.01% or less genetically modified seeds.

60. The method of claim 45, wherein said certifying step b) comprises:

- i) inspecting identified acreage for contamination by genetically modified plants prior to planting; and
- ii) inspecting said identified acreage for contamination by genetically modified plants prior to harvesting said crop.

61. The method of claim 60, wherein said certifying step b) further comprises verifying that equipment used to grow and harvest said crop was cleaned-down prior to harvest.

62. The method of claim 45, wherein said processing step c) comprises processing said crop into a food product.

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63. The method of claim 62, wherein said food product is soybean oil.
64. The method of claim 45, wherein said certifying step d) comprises
  - i) inspecting for contamination by genetically modified seeds, prior to said harvesting step, one or more storage bins for said crop; and
  - ii) inspecting for contamination by genetically modified seeds, prior to said processing step, one or more processing plans that are to process said crop.
65. The method of claim 45, wherein said certifying step d) comprises establishing a lot identification number for said crop prior to said processing step and tracking said lot identification number during said processing step.
66. The method of claim 65, wherein said lot identification number is established when said crop is harvested.